REMARKS/ARGUMENTS

Claims 1-10, 15-18, and 23-26 are pending in the present application. Claims 11-14 and 19-22 have been cancelled. In the Office Action mailed April 6, 2006, the Office Action rejected claims 1-3, 5, 10, 15-18, and 25-26 under 35 U.S.C. § 102. The Office Action also rejected claims 4, 6-8, and 23-24 under 35 U.S.C. § 103.

Reconsideration is respectfully requested in view of the following remarks.

A. Claims 1-3, 5, 10, 15-18, and 25-26 Rejected Under 35 U.S.C. § 102(e)

The Office Action rejected claims 1-3, 5, 10, 15-18, and 25-26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,654,816 to Zaudtke et al. (hereinafter, "Zaudtke"). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicant respectfully submits that the claims at issue are patentably distinct from Zaudtke. Zaudtke does not disclose all of the limitations in these claims.

Claim 1 recites "a control management device ... [that] assert[s] a first processing signal to said peripheral I/O control device in response to a control signal from said system chip in a normally operational state of said peripheral management system, and assert[s] a second processing signal to said peripheral I/O control device in response to an external control signal in a crash state of said peripheral management system." Applicant respectfully submits that Zaudtke does not disclose these limitations. Zaudtke does not disclose the "first processing signal" or the "second processing signal" that are asserted to the "peripheral I/O control device," as recited in claim 1. Specifically, Zaudtke does not disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 1.

In paragraph 3 of the Office Action (page 2), the Examiner cited Zaudtke's management functions system 230 to be equivalent to the control management device of the present invention. Specifically, the Office Action asserts that "Zaudtke teaches … a control management device [230, FIG. 2; 801, FIG. 8]." See Office Action, page 2. Applicant respectfully submits that Zaudtke's management functions system 230 fails to perform essential operations of the present control management device. For example, as recited in claim 1, the control management device asserts "a first processing signal to the peripheral I/O control device in response to a control signal from the system chip in a normally operational state of the peripheral management system" and asserts "a second processing signal to the peripheral I/O control device in response to an external control signal in a crash state of the peripheral management system."

The Office Action states that Zaudtke teaches these claimed functions. See id. In support of this statement, the Office Action cited to a lengthy portion of Zaudtke. See Zaudtke, col. 15, line 37 through col. 16, line 50. Applicant respectfully submits that the Office Action has not pointed to any specific area of this portion as disclosing the "first processing signal" or the "second processing signal" that are asserted to the "peripheral I/O control device," as recited in claim 1. Furthermore, the Office Action has not pointed to any specific area as disclosing the "first processing signal" is asserted "in response to a control signal from the system chip" and the "second processing signal" is asserted "in response to an external control signal," as recited in claim 1. Rather, the Office Action has merely stated that this portion "teaches normal operation between the system chip and the peripheral I/O device, and operation between a handheld device [123, FIG. 1] and the peripheral 110 device in a crash state of the peripheral management system to obtain information about the crash and/or recover from the crash." Office Action, pages 2-3.

According to Zaudtke, on the contrary, the management functions system 230 only responds to a signal from handheld device 123, regardless if the computer system is shut down or not (in normal or crash state). Therefore, Zaudtke does not disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 1.

Claim 25 recites "a control management device ... [that] assert[s] a first processing signal to said super I/O control device in response to a control signal from said system chip in a normally operational state of said system chip, and assert[s] a second processing signal to said super I/O control device in response to an external control signal in an idle state of said system chip." Applicant respectfully submits that Zaudtke does not disclose these limitations. Zaudtke does not disclose the "first processing signal" or the "second processing signal" that are asserted to the "super I/O control device," as recited in claim 1. Specifically, Zaudtke does not disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 25.

The Office Action asserts that "[a]s per claims 25-26, the claims generally correspond to claims 1, 10 above, with the peripheral I/O control device comprising a super I/O control device [234, FIG. 8] and the an idle state of the system chip constituting a crash state of the peripheral management system, and are rejected on the same basis." Office Action, page 3. Applicant respectfully submits that claims 1, 10, and 25 are distinct and that Zaudtke fails to disclose the distinct limitations of claim 25. Specifically, Zaudtke fails to disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 25.

In view of the foregoing, Applicant respectfully submits that claims 1 and 25 are patentably distinct from Zaudtke. Accordingly, Applicant respectfully request that the rejection of claims 1 and 25 be withdrawn.

Claims 2-3, 5, 10, and 15-18 depend either directly or indirectly from claim 1. Claim 26 depends directly from claim 25. Accordingly, Applicant respectfully requests that the rejection of claims 2-3, 5, 10, 15-18, and 26 be withdrawn for at least the same reasons as those presented above in connection with claims 1 and 25.

Furthermore, claim 5 recites that the "system chip is a south bridge chip." Applicant respectfully submits that Zaudtke does not disclose this limitation. Specifically, Zaudtke does not disclose "a south bridge chip" that is "electrically connected [to the control management device] and said peripheral I/O device in series," as recited in claim 5.

The Office Action asserts that "Zaudtke teaches … the system chip being a south bridge chip [228, FIG. 2]." Office Action, page 3. Applicant respectfully submits that whether Zaudtke teaches a south bridge chip, is irrelevant. Rather, Zaudtke must teach "a south bridge chip" that is "electrically connected [to the control management device] and said peripheral I/O device in series," as recited in claim 5. Applicant submits that Zaudtke does not. The south bridge chip 228 of Zaudtke is shown in parallel to, rather than in series with, the microcontroller 234 and NV memory 236, which the Office Action asserts constitute a peripheral I/O device. See Office Action, page 2. Therefore, Zaudtke also fails to disclose this limitation.

B. Rejection of Claim 4 Under 35 U.S.C. § 103(a)

The Office Action rejected claim 4 under 35 U.S.C. § 103(a) based on Zaudtke in view of U.S. Patent No. 5,991,841 to Galfken et al. (hereinafter, "Galfken"). This rejection is respectfully traversed.

The M.P.E.P. states that

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.
>
> The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicant respectfully submits that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

As shown above, Zaudtke does not disclose each and every element of claim 1. Specifically, Zaudtke does not disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 1. Likewise, the Office Action has not cited, nor can Applicant find, any portion of Galfken that teaches or suggests these limitations.

Claim 4 depends directly from claim 1. Consequently, Applicant respectfully request that the rejection of claim 4 be withdrawn for at least the same reasons as those presented above in connection with claim 1.

C. Rejection of Claims 6-8 and 23-24 Under 35 U.S.C. § 103(a)

The Office Action rejected claims 6-8 and 23-24 under 35 U.S.C. § 103(a) based on Zaudtke in view of U.S. Patent No. 6,061,745 to Mahmoud et al. (hereinafter, "Mahmoud"). This rejection is respectfully traversed.

The standard for establishing a prima facie case of obviousness under 35 U.S.C. § 103(a) is provided above. Applicant respectfully submits that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

As shown above, Zaudtke does not disclose each and every element of claim 1. Specifically, Zaudtke does not disclose that the "first processing signal" is asserted "in response to a control signal from the system chip" and that the "second processing signal" is asserted "in response to an external control signal," as recited in claim 1. Likewise, the Office Action has not cited, nor can Applicant find, any portion of Mahmoud that teaches or suggests these limitations.

Claims 6-8 depend either directly or indirectly from claim 1. Consequently, Applicant respectfully request that the rejection of claims 6-8 be withdrawn for at least the same reasons as those presented above in connection with claim 1.

Claim 23 recites "a control management device … [that] assert[s] a first processing signal to said system BIOS in response to a control signal from said system chip in a normally operational state of said system BIOS, and assert[s] a second processing signal to said system BIOS in response to an external control signal in an idle state of said system BIOS." Applicant respectfully submits that Zaudtke does not disclose these limitations. Zaudtke does not disclose the “first processing signal” or the “second processing signal” that are asserted to the “system BIOS,” as recited in claim 23. Specifically, Zaudtke does not disclose that the “first processing signal” is asserted “in response to a control signal from the system chip” and that the “second processing signal” is asserted “in response to an external control signal,” as recited in claim 23.

The Office Action asserts that “[a]s per claims 23-24, the claims generally include limitations found in claims 1, 10 above with the peripheral I/O control device including a system BlOS (see rejection of claim 6 above) and an idle state of the system BlOS constituting the crash state of the peripheral management system, and are rejected on the same basis. Zaudtke further teaches modifying set up/status and/or configuration information with the handheld device [col. 16, lines 16-19], hence updating the system BlOS in order to recover from an idle state to a normal state.” Office Action, page 3. Applicant respectfully submits that claims 1, 10, and 23 are distinct and that Zaudtke fails to disclose the distinct limitations of claim 23. Specifically, Zaudtke fails to disclose that the “first processing signal” is asserted “in response to a control signal from the system chip” and that the “second processing signal” is asserted “in response to an external control signal,” as recited in claim 23.

Claim 24 depends directly from claim 23. Consequently, Applicant respectfully request that the rejection of claim 24 be withdrawn for at least the same reasons as those presented above in connection with claim 23.

D. Conclusion

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

Wesley L. Austin

/Wesley L. Austin/

Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant

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MADSON & AUSTIN
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: (801) 537-1700